

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ASSOCIATION OF NEW JERSEY
RIFLE & PISTOL CLUBS, INC.,
BLAKE ELLMAN, and MARC
WEINBERG,

Plaintiffs,

v.

MATTHEW PLATKIN, in his official
capacity as Attorney General of New
Jersey, PATRICK J. CALLAHAN, in
his official capacity as Superintendent of
the New Jersey Division of State Police,
RYAN MCNAMEE, in his official
capacity as Chief of Police of the Chester
Police Department, and JOSEPH
MADDEN, in his official capacity as
Chief of Police of the Park Ridge Police
Department,

Defendants.

CIVIL NO. 18-10507-PGS-JBD

MARK CHEESEMAN, TIMOTHY
CONNOLLY, and FIREARMS POLICY
COALITION, INC.,

Plaintiffs,

v.

MATTHEW J. PLATKIN, in his official
capacity as Attorney General of New
Jersey, PATRICK J. CALLAHAN, in
his official capacity as Superintendent of
the New Jersey State Police,
CHRISTINE A. HOFFMAN, in her
official capacity as Acting Gloucester
County Prosecutor, and BRADLEY D.

CIVIL NO. 22-04360-PGS-JBD

BILLHIMER, in his official capacity as
Ocean County Prosecutor,

Defendants.

BLAKE ELLMAN, THOMAS R.
ROGERS, and ASSOCIATION OF
NEW JERSEY RIFLE & PISTOL
CLUBS, INC.,

Plaintiffs,

v.

MATTHEW PLATKIN, in his official
capacity as Attorney General of New
Jersey, PATRICK J. CALLAHAN, in
his official capacity as Superintendent of
the New Jersey Division of State Police,
LT. RYAN MCNAMEE, in his official
capacity as Officer in Charge of the
Chester Police Department, and
KENNETH J. BROWN, JR., in his
official capacity as Chief of the Wall
Township Police Department,

Defendants.

CIVIL NO. 22-cv-04397-PGS-
JBD

ORDER AND JUDGMENT

For the reasons set forth in the Memorandum dated July 30th, 2024, **IT IS** on
this 30th day of **July, 2024**:

1. **ORDERED** that the Motion for Summary Judgment by Plaintiffs Mark
Cheeseman, Timothy Connolly, and the Firearms Policy Coalition, Inc. to the extent
it seeks summary judgment in their favor declaring N.J. Stat. Ann. § 2C:39-1(w)(1)

(West 2024) unconstitutional as to the inclusion of the “Colt AR-15” (the “AR-15 Provision”) (ECF No. 174)¹ is **GRANTED**;

2. ORDERED that the Motion for Summary Judgment by Plaintiffs Blake Ellman, Thomas Rogers, and the Association of New Jersey Rifle & Pistol Clubs, Inc. to the extent it seeks summary judgment in their favor declaring N.J. Stat. Ann. § 2C:39-1(w)(1) (West 2024) unconstitutional as to the inclusion of the “Colt AR-15” (the “AR-15 Provision”) (ECF No. 175) is **GRANTED**;

3. ORDERED that the Motion for Summary Judgment by Plaintiffs Association of New Jersey Rifle & Pistol Clubs, Inc, Blake Ellman, and Marc Weinberg to the extent it seeks summary judgment in their favor declaring N.J. Stat. Ann. §§ 2C:39-1(y), 2C:39-3(j) (West 2024); N.J. Stat. Ann. § 2C:39-20(a) (West 2024) (the “LCM Amendment”) to be unconstitutional (ECF No. 175) is **DENIED**;

4. ORDERED that State Defendants’ Cross-Motion for Summary Judgment to the extent it seeks summary judgment declaring N.J. Stat. Ann. § 2C:39-1(w)(1) (West 2024) as to the inclusion of the “Colt AR-15” (the “AR-15 Provision”) constitutional (ECF No. 183) is **DENIED**;

5. ORDERED that State Defendants’ Cross-Motion for Summary Judgment to the extent it seeks summary judgment declaring N.J. Stat. Ann. §§

¹ All parenthetical ECF citations are to documents filed under Civil No. 18-10507, unless indicated otherwise.

2C:39-1(y), 2C:39-3(j) (West 2024); N.J. Stat. Ann. § 2C:39-20(a) (West 2024) (the “LCM Amendment”) to be constitutional (ECF No. 183) is **GRANTED**;

6. **ORDERED** that Defendant Kenneth J. Brown, Jr.’s separate motion to dismiss the claims asserted against him (Case No. 22-cv-04397, ECF No. 50) is **DENIED AS MOOT**;

7. **ORDERED** that Plaintiffs’ Motion to Preclude the Expert Testimony of State Defendants’ Experts (ECF No. 176) is **DENIED**;

8. **ORDERED** that State Defendants’ Motion to Preclude the Expert Testimony of Plaintiffs’ Experts Emanuel Kapelsohn and Clayton Cramer (ECF No. 182) is **DENIED**;

9. **ADJUDGED** that judgment is entered declaring N.J. Stat. Ann. § 2C:39-1(w)(1)(West 2024) as to the inclusion of the “Colt AR-15” (the “AR-15 Provision”) to be unconstitutional;

10. **ADJUDGED** that judgment is entered declaring N.J. Stat. Ann. §§ 2C:39-1(y), 2C:39-3(j) (West 2024); N.J. Stat. Ann. § 2C:39-20(a) (West 2024) (the “LCM Amendment”) to be constitutional; and

11. **ORDERED** that the effect of this Order and Judgment is *sua sponte* stayed for thirty days.



PETER G. SHERIDAN
UNITED STATES DISTRICT JUDGE